BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 3406 /2006 SINGLE BENCH

PETITIONER

S.N. Shukla, aged about 44 years, son of Late Shri Ravinandan Prasad Shukla, occupation - Service – Draughtsman, In the Office of Executive Engineer, Water Management, Division No.1, Raipur (C.G.), resident of Qtr No. H-56, Irrigation Colony, Rudri, District Dhamtari (C.G.)

P.R. No. 3425/06
Presented by Shri A.K. Asthana
dated 10/11/06

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through – the Secretary, Department of Water Resources, Dau Kalyan Singh Bhawan, Mantralay, Raipur (C.G.)

2. The Under Secretary, Department of Water Resources, Dau Kalyan Singh Bhawan, Mantralay, Raipur (C.G.)

3. The Executive Engineer, Water Management, Division No.1, Raipur (Chhattisgarh)

RECEIVED-COPY 15/11/06 A. G. BILASPUR
CLE
OATH COMMISSIONER APARNA MALVIYA CG 3066 10/07/07 Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

The Petitioner, named above, respectfully submits as under:-

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..W.P.:3406/ **सन् 2006**

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

12-7-2006

Mr. Vinay Pandey, counsel for the petitioner.

Mr. Sumesh Bajaj, Govt. Advocate for the State/respondents, on advance copy.

Heard both the counsel.

By the instant writ petition, the petitioner has challenged the transfer order dated 4-7-2006 passed by respondent No.2, whereby the petitioner has been transferred from Raipur to the Office of the Executive Engineer, Sutiyapath Project Division, Sahaspur, Lohara, on his own expenses which indicates that the petitioner has been transferred on his request, whereas no such request was made by the petitioner for his transfer.

Learned counsel for the petitioner submits that the petitioner has already made representation to respondent No.3, but there is no response, as such, in the circumstances, the petitioner may be allowed to make a representation to respondent No.2, who in turn be directed to decide the representation, to which learned counsel appearing for the State/respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on merit of the case, the request made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances annexing a copy of the writ petition to respondent No.2 within ten days from today and respondent No.2 is directed to decide the representation within one month from the date of its receipt after

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....W.P.3406/ **सन् 2006**

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	considering the points raised by the petitioner, in an objective manner, in accordance with law. Since the impugned transfer has been effected on wrong ground i.e. on the request of the petitioner whereas, as per the allegations made in the writ petition the petitioner has made no request, the impugned transfer order in respect of the petitioner is stayed, till the decision on the petitioner's representation. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.2618/2006 and I.A.No.6686/2006 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

Soma

18.7.06

21.7.06